

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
v.) Criminal No. 04-36 Erie
ANN MARIE WEBER)
)

GOVERNMENT'S MOTION FOR SENTENCING DEPARTURE
BASED ON DEFENDANT'S SUBSTANTIAL ASSISTANCE TO AUTHORITIES

AND NOW comes the United States of America, by and through its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Christian A. Trabold, Assistant United States Attorney for said district, and files this motion pursuant to 18 U.S.C. §3553(e) and U.S.S.G. §5K1.1 and avers as follows:

1. Ann Marie Weber was indicted, along with seven co-defendants in the Maurice Foley drug conspiracy, on August 11, 2004, and was charged with conspiracy to distribute and possess with intent to distribute one hundred kilograms or more of marijuana (21 U.S.C. § 846) and ten counts of money laundering (18 U.S.C. § 1956). On May 9, 2005, Weber changed her plea to guilty to count one of the indictment. Weber is scheduled to be sentenced on August 4, 2005.

2. When Weber was questioned subsequent to her indictment about the drug trafficking enterprise involving

Maurice Foley and his cohorts, she provided information to the government relative to Foley's illegal activities. Moreover, Weber maintained a willingness to testify had the Foley case proceeded to trial.

3. The government believes that the cooperation of Ann Marie Weber has been substantial for the reasons set forth below:

a. Subsequent to her indictment, Weber offered information to law enforcement about the significant drug trafficking activities of Maurice Foley and his co-conspirators. Weber related that she assisted Foley by purchasing a vehicle in her name, to be used by Foley, using what she knew was money from Foley's marijuana enterprise. Weber also revealed that Foley had provided her and others methamphetamine on a consistent basis during the course of the conspiracy. Weber further related that Foley had directed her to take care of various financial matters and obligations after he was arrested in this case. Likewise, Weber indicated that Foley had stored marijuana at her residence on occasion.

b. Weber indicated a desire and willingness to provide testimony against any of her co-conspirators if that had become necessary. During the course of the investigation of the Foley drug conspiracy it became apparent that Maurice Foley was concerned about Weber cooperating with authorities, primarily because Foley knew that Weber possessed a great deal of highly

incriminating information, especially about his finances and obligations in California.

4. Throughout Weber's cooperation with law enforcement authorities, she made herself available for interviews and debriefing sessions and the information provided was reliable and verified by law enforcement officers who investigated these matters.

WHEREFORE, the United States respectfully requests that this Honorable Court consider a reduction in any sentence which it may impose pursuant to 18 U.S.C. §3553(e) and U.S.S.G. §5K1.1.

Respectfully submitted,



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